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CHARLOTTE, N.C.

APR 11 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

Clerk, U. S. Dist. Court
W. Dist. of N. C.

FILED
ASHEVILLE, N.C.

UNITED STATES OF AMERICA,)
)
vs.)
)
QUINCE LEE SPENCER.)

APR 19 2011

U.S. DISTRICT COURT
W. DIST. OF N.C.

CASE NO. 1:06CR42
(Financial Litigation Unit)

CONSENT ORDER REGARDING WRIT OF EXECUTION

The parties, the United States of America, hereinafter referred to as "United States" or "government," and Quince Lee Spencer, hereinafter referred to as "Defendant," agree and stipulate to the following terms:

1. A criminal judgment was entered in this matter on December 5, 2007, against Defendant. Defendant was ordered to pay a criminal assessment of \$100.00 and restitution in the amount of \$148,615.79. The balance on the account as of March 9, 2011, is \$138,715.79.

2. On March 22, 2011, the Court entered a writ of execution against property held by Bank of Granite. The writ was mailed to Defendant and the Bank of Granite on March 30, 2011. The sum of \$8,319.54 is being held by the Bank of Granite pending further order of this Court.

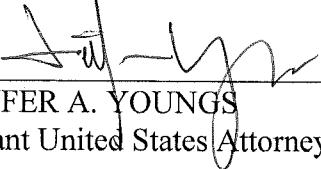
3. Defendant has additional financial resources available to him, including an investment account and real estate properties, which the government is pursuing at this time.

4. The parties have agreed and do stipulate that the government is entitled to execute on and take possession of all funds, less the sum of \$1,000.00, from the Bank of Granite accounts. The \$1,000.00 that is being released from the execution to Defendant is to remain in account number XXXXXX587.

5. All payments will be remitted to the United States Clerk of Court for the Western District of North Carolina at 401 W. Trade Street, Charlotte, NC 28202.

6. Upon receipt of all funds, less the sum of \$1,000.00, from the Bank of Granite, the government will release the Writ of Execution on Defendant's accounts at the Bank of Granite, for the sole purpose that Defendant will have the ability pay necessary monthly expenditures, in other terms keep the defendant "afloat", while ongoing negotiations are being made to liquidate an investment account and real estate properties, which will be applied toward restitution.

AGREED AND STIPULATED TO:



JENNIFER A. YOUNGS

Assistant United States Attorney

DATE: 4/11/11



QUINCE LEE SPENCER

Defendant

DATE: 4/8/11

APPROVED AND SO ORDERED this the 19th day of April, 2011.


DENNIS L. HOWELL
UNITED STATES MAGISTRATE JUDGE